

Notice of Allowability

Application No.

10/092,028

Examiner

Sara Chandler

Applicant(s)

DEGEN ET AL.

Art Unit

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/20/07.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Response to Amendment

This Office Action is responsive to Applicant's arguments and request for reconsideration of application 10/092,028 (03/05/02) filed on 05/23/07 and 06/20/07.

Status of Claims

Claims 4-8, 11 and 12 are original. Claims 1-3, 9 and 10 are currently amended. Claims 13-20 are canceled. Thus, Claims 1-12 are currently pending.

Allowable Subject Matter

Claims 1-12 are allowed.

The following is an examiner's statement of reasons for allowance:

The closest prior art of record is Busuioc, US Pat. No. 6,212,266. Although Busuioc is similar to the instant application in some respects, there are clear patentable distinctions.

Busuioc teaches fraud detection/prevention in the context of transaction systems of a particular type (i.e., telecommunications). In Busuioc, telecommunications transactions (e.g., individual calls) can be evaluated to detect suspicious activity. A record of information specific to these telecommunications transactions (e.g., called number, calling number, call length, calling card or credit card used) can be evaluated against a set of rules used as a reference for likely or probable fraudulent activity. A plurality of different rules can be used, wherein each rule can have different thresholds or values representative of what is likely or probable fraudulent activity. Furthermore,

the rules may be updated over time dependent upon valid matches between the rules and the records.

The instant application is distinct from Busuioc in a few ways. First, the fraud detection/prevention occurs in the context of transaction systems of a plurality of types (i.e., money transfer, credit card). Furthermore, the claimed money transfer system and the credit card system are different than the telecommunications system of Busuioc. Third, the use of the two types of transaction systems is not merely a duplication of parts because there is a necessary interrelationship between the two different types of transaction systems. In other words, the reference designator list associated with the evaluation of the first transaction of the first money transfer system can be updated and in light of the evaluation of the second transaction of the second credit card transaction system.

In regards to the use of the language "suspicious activity", the term is considered to be definite. The rationale is comparable to the treatment of the term 'substantially' when one of ordinary skill in the art would understand the intended meaning. In, other words, as it pertains to fraud detection and prevention, one of ordinary skill in the art would know what "suspicious activity" is. Furthermore, the particular standards, thresholds, or values chosen to quantify what is suspicious activity is not considered to be the novel feature.

Claim 1 is allowed because the best prior art of record, Busuioc, alone or in combination, fails to teach or suggest, the limitations of: a method for evaluating transactions for suspicious activity, the method comprising:

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providing a reference designator list, wherein the reference designator list includes at least a subset of information available from a first transaction system that is associated with suspicious activity, wherein the first transaction system comprises a money transfer network, and wherein the suspicious activity is related to suspect persons performing money transfers;

and

evaluating a first money transfer transaction associated with the first transaction system using the reference designator list to detect suspicious activity, wherein the evaluating step comprises comparing transaction details associated with the first money transfer transaction with the reference designator list to determine any matching data;

and

if matching data is found, flagging the first transaction as potentially involving an attempt by a suspect person to perform a money transfer, and updating the reference designator list with the matching data to produce an updated reference designator list;

and

evaluating a second transaction associated with a second transaction system using the reference designator list to detect suspicious activity, wherein the second transaction system comprises a credit card network and wherein the evaluating step comprises comparing credit card transaction data from the second transaction with the updated reference designator list to determine any matching data;

and

if any matching data from the updated reference designator list is found, flagging the second transaction as potentially involving an attempt by an unauthorized person to charge a credit card account.

Claims 2-12 are also allowable for the same reasons discussed above, in that they are dependent on allowed claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

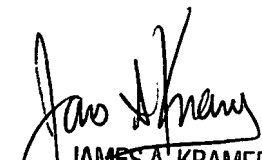
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara Chandler whose telephone number is 571-272-1186. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SMC

 8-6-07
JAMES A. KRAMER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600